



06-11-04

IPW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/687,570
		Filing Date	October 15, 2003
		First Named Inventor	Mark Frei
		Art Unit	3736
		Examiner Name	Not assigned
Total Number of Pages in This Submission		Attorney Docket Number	011738.00138

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> PCT International Search Report	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Express Mail Certificate -Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Form PTO/SB/08A and B (without U.S. patent references)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Binal J. Patel
Signature	
Date	June 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name		
Signature		Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 011738.00138)

In the Application of:)
Mark Frei, et al.) Confirmation No. 7127
Serial No. 10/687,570) Group Art Unit: 3736
Filed: October 15, 2003) Examiner: Not assigned
For: PHASE SHIFTING OF NEUROLOGICAL SIGNALS)
IN A MEDICAL DEVICE SYSTEM)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. § 1.56. Copies of the U.S. patent references cited below are not enclosed. The references are also listed on the enclosed and completed Form PTO/SB/08A.

REFERENCES

U.S. Patent Documents

<u>Patent No.</u>	<u>Inventor</u>	<u>Date Granted</u>
6,366,814	Boveja, et al.	04/02/2002
6,587,727	Osorio, et al.	07/01/2003
6,597,954	Pless, et al.	07/22/2003
6,609,030	Rezai, et al.	08/19/2003

Other Prior Art

1. PCT International Search Report.

Respectfully submitted,
BANNER & WITCOFF, LTD

Dated: June 10, 2004

By: _____



Binal J. Patel
Reg. No. 42,065



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 07/31/2008. GMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Application Number</i>	10/687,570
				<i>Filing Date</i>	October 15, 2003
				<i>First Named Inventor</i>	Mark Frei
				<i>Art Unit</i>	3736
				<i>Examiner Name</i>	Not assigned
(Use as many sheets as necessary)				<i>Attorney Docket Number</i>	011738.00138
Sheet	1	of	2		

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through September 30, 2009. GPO 2007-080.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO		Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		<i>Application Number</i>	10/687,570	
		<i>Filing Date</i>	October 15, 2003	
		<i>First Named Inventor</i>	Mark Frei	
		<i>Art Unit</i>	3736	
		<i>Examiner Name</i>	Not assigned	
(Use as many sheets as necessary)				
Sheet	2	of	2	
			<i>Attorney Docket Number</i>	011738.00138

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

Express Mail No. EL995824849US

Deposited: June 10, 2004

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: A handwritten signature in black ink, appearing to read "Mark Frei, et al.", is written over a horizontal line. The line starts below the "By:" label and ends to the right of the signature.

Application of: Mark Frei, et al.

Application No.: 10/687,570

Filing Date: October 15, 2003

Title: Phase Shifting Of Neurological Signals In A Medical Device System

Transmitted herewith are the following documents:

- Transmittal Form (1 page) in duplicate
- Supplemental Information Disclosure Statement (2 pages)
- Form PTO/SB/08A and B (2 pages) without U.S. patent references
- PCT International Search Report (5 pages)
- Return Postcard

Attorney Case No.: 011738.00138